

① SCOTT WILLIAM HESS

CASE # 1:13-CV-00190

11-30-13

United States District Court  
Southern District of Texas  
FILED

DEC - 9 2013

TO: DAVID BRADLEY, CLERK.

AND: MAGISTRATE JUDGE RONALD MORAN

AND: JUDGE ANDREW S. HANEN.

DEAR SIRs,

ABOUT A MONTH AGO I MAILED A SUPPLEMENT TO MY PETITION FOR WRIT OF HABIAS CORPUS TO YOUR OFFICE. I AM WRITING TO FIND OUT IF MY CORRESPONDANCE WAS, IN FACT, RECEIVED AND WAS IT ABLE TO BE ATTACHED TO MY WRIT (0054) AND WILL IT, ALONG WITH MY 5 PAGE ANNEX, BE RECOGNIZED BY THE STATE?

IT IS MY UNDERSTANDING THAT I'M ALLOWED TO ADD A SUPPLEMENT TO MY WRIT WHILE STILL AWAITING A DECISION.

WHEN I FILED MY WRIT (11.07) WITH THE STATE - THAT SAME WEEK I MAILED IN NOT ONE, BUT TWO SUPPLEMENTS THAT WERE, APPARANTLY NOT RECOGNIZED. I LATER RECEIVED THE REPLY FROM THE DISTRICT COURT ALSO DATED THAT SAME WEEK. IT APPEARS THAT A DECISION WAS REACHED BEFORE MY SUPPLEMENTS WERE RECEIVED AND/OR RECOGNIZED... EVEN THOUGH IT WAS MUCH LATER THAT I ACTUALLY RECEIVED THEIR DECISION. I DON'T THINK TOO HIGHLY OF THE MEMBERS OF THE 197TH DISTRICT COURT - ESPECIALLY

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JUDGE LOPEZ, SHE UNLAWFULLY SENTENCED ME, A MENTAL OUTPATIENT, A DISABLED PERSON, TO A 10 YEAR SENTANCE IN PRISON. (THE MAXIMUM) IN THE COURTS RESPONSE TO MY WRIT, SIGNED BY JUDGE LOPEZ, IT STATES VERY CLEARLY THAT I HAD THE RIGHT TO APPEAL WITHIN 30 DAYS OF MY CONVICTION - AND FURTHERMORE HAVE BEEN ELIGABLE TO FILE AN OUT-OF-TIME APPEAL EVER SINCE... WHILE I HAVE BEEN LINGERING IN JAIL AND PRISON SINCE 4-19-12!... STILL RECOVERING FROM SEVERE MENTAL ILLNESS DURING FEBRUARY, MARCH, AND APRIL OF 2012. MY CASE WAS UNFAIRLY CLOSED (FOR A ONE YEAR PERIOD) AT TROPICAL M.H.M.R. AND I WAS UNABLE TO OBTAIN ANOTHER SOURCE FOR MY MUCH NEEDED PSYCHE. MEDS. IN JAIL AND PRISON MY RECOVER HAS BEEN VERY SLOW

I WOULDN'T PUT IT PAST THIS JUDGE, OR HER COURT, TO DO SOMETHING UNSCRUPULOUS-LIKE 'FUDGE' THE DATE ON THEIR DECISION SO THAT MY (VERY TIMELY) SUPPLIMENTS WOULD NOT BE RECOGNIZED. I JUST DON'T BELIEVE THAT THEY WERE ABLE TO MAKE THEIR DETERMINATION SO 'DANG' FAST! (PLEASE SEE MY "P.S." AT THE END OF THIS LETTER)

DUE TO THE NATURE OF MY CHARGE, OF WHICH I AM INNOCENT, I'VE BEEN EXPERIENCING EXTREME PREJUDICE ON EVERY LEVEL OF "THE SYSTEM" FROM THE ARRESTING OFFICER TO THE POLICE

STATION, COURTS, ATTORNEYS, COURT CLERKS, JAILERS AND PRISON OFFICIALS!

I WAS UNABLE TO OBTAIN MY OWN COURT RECORDS UPON WRITTEN REQUEST UNTILL, FINALLY, I HAD TO BEG MY OLD FAMILY ATTORNEY, EVERARDO GARCIA, TO HELP ME GAIN MY FILE-(WITHOUT CHARGE).

FROM YOUR OFFICE I RECIEVED GOOD NEWS-THAT MY 2254 WAS FILED-BUT WHEN A COPY OF MY WRIT WAS RETURNED+ THERE WAS NO INDICATION THAT MY 5 PAGE ANNEX WAS RECIEVED AND RECOGNIZED. DUE TO A RECENT MEDICATION CHANGE, MY MENTAL STATE HAS, ONLY VERY RECENTLY, IMPROVED DRAMATICALLY. AND I WAS ABLE TO EXERCISE MY RIGHTS MORE FAIRLY BY SUPPLIMENTING MY 2254-MORE THOROUGHLY.

WAS MY ORIGINAL 5 PAGE ANNEX RECOGNIZED? WAS MY SUPPLIMENT WITH GROUNDS 6-14 RECIEVED AND ATTACHED? AM I ALLOWED TO SEND IN YET ANOTHER SUPPLIMENT WITH YET ONE MORE GROUND CONCERNING JUDGE LOPEZ' CONTRADICTION-WHETHER OR NOT I AM, IN FACT, ELIGABLE TO APPEAL?

I HAVE A LETTER FROM ATTORNEY "JOHN MUNCURE WITH THE "STATE COUNSEL FOR OFFENDERS" WHO ADVISES ME THAT I "IN FACT WAIVED MY  
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RIGHT TO APPEAL WHEN I MADE MY GUILTY PLEA."  
SO I'M STILL CONFUSED.

IF FOR SOME REASON YOUR OFFICE DID NOT  
RECEIVE MY SUPPLEMENT, OR IT CANNOT BE  
RECOGNIZED - OR IF MY ORIGINAL ANNEX  
WAS - FOR SOME REASON NOT RECOGNIZED...

MAY I KINDLY REQUEST PROPER NOTIFICATION,  
PLEASE? THANK YOU SO VERY MUCH FOR  
YOUR TIME IN READING THIS CORRESPONDANCE.

RESPECTFULLY,

SCOTT W. HESS

TDCJ # 01841004.

Scott W. Hess.

P.S. - I HAVE IN MY POSSESSION 2 COPIES OF THE  
DECISION BY THE 197<sup>TH</sup> DISTRICT COURT DATED  
9/11/13. — AS "STAMPED" BY DISTRICT CLERK "AURORA  
DE LA GARZA" ALONG WITH A LETTER FROM THE  
DISTRICT ATTORNEYS OFFICE FROM CHRISTOPHER  
GONZALES - THIS APPEARS TO BE A COPY OF THE LETTER  
SENT TO JESSICA CARRIZALES - COURT COORDINATOR  
FOR THE 197<sup>TH</sup> DISTRICT COURT. THIS LETTER IS DATED,  
AND ALSO, "STAMPED" BY MS. DE LA GARZA ON 9/11/13.

THE 2 COPIES I RECEIVED AS "CERTIFIED MAIL"  
FROM THE DISTRICT ATTORNEYS OFFICE TOTAL 12 PAGES  
WITH POSTAGE OF \$6.31 AND DATED, BY THE POST OFFICE,  
BUT - NOT UNTILL SEPT. 24 TH. !!!

P.S.S. - UPON FURTHER INSPECTION OF THIS SAME CORRESPONDANCE I NOTICE MORE INCONSISTANCIES BOTH 6 PAGE COPIES ARE, IN FACT, NOT IDENTICAL. ONE COPY SHOWS 2 "HOLES" PUNCHED OUT IN THE ORIGINAL. (AGAIN IT'S A 5 PAGE DOCUMENT TITLED "FACTS AND FINDINGS OF OF LAW" - ALONG WITH THE ONE PAGE LETTER FROM THE D.A. TO THE COURT). THIS SAME COPY, AS ALREADY STATED, HAS 9-11-13 "STAMPED" BY MS. DE LA GARZA ON THE FIRST PAGE OF DOCUMENT AND AGAIN ON THE LETTER. THE DOCUMENT - ON PAGE 5 - IS NOT SIGNED BY THE JUDGE, NOR TIME/DATE STAMPED

THE OTHER COPY HAS NO SUCH EVIDENCE OF ANY "HOLES" BEING PUNCHED OUT IN THE ORIGINAL. PAGE ONE OF THE DOCUMENT AND AGAIN - THE LETTER FROM THE D.A. TO THE COURT - DATED 9-11-13 ALSO SHOWS THE SAME 9-11-13 "STAMP", HOWEVER - IN BIG BOLD LETTERS ON THIS LETTER IS THE WORD "SCANNED" WHILE THE OTHER COPY DOES NOT HAVE THIS. THEN, ON PAGE 5 - IT IS SIGNED BY JUDGE LOPEZ AND SHE DATED HER SIGNATURE 9-13-13. AND ON THAT SAME PAGE IS "ANOTHER" "STAMP" BY MS. DE LA GARZA DATED 9-17-13. I'M CONFUSED! WOULD THESE INCONSISTINCIE ON THE CORRESPONDANCE AND THE ENVELOPE SUPPORT MY SUSPITIONS? WAS I MISLEAD TO BELIEVE →



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MAIL

United States District Court  
Southern District of Texas  
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THAT BECAUSE A DECISION WAS REACHED SO RAPIDLY - THAT I "MISSED OUT" BY NOT HAVING MY 2 ADDITIONAL LETTERS RECOGNIZED WITH FURTHER ISSUES - SIMPLY BECAUSE THEY WERE NOT INCLUDED WITH THE WRIT? I WAS ADVISED - BY ANOTHER INMATE I MET AT THE "LAW LIBRARY" AT "GARZA WEST TRANSFER UNIT" - WHO WAS AN ATTORNEY - THAT I HAD EVERY RIGHT TO SUPPLEMENT MY WRIT WHILE WAITING FOR A DECISION.

I ALSO HAVE ANOTHER LETTER FROM MS. DE LA GARZA - CAMERON COUNTY DISTRICT CLERK - (APPEALS SECTION) DATED 9-20-13 THAT ACKNOWLEDGES RECEIPT OF MY WRIT... IT READS FURTHER - "THE STATE IS AFFORDED 15 DAYS FROM THE DAY THEY RECEIVE NOTICE OF FILING IN WITH IT MAY ORDER A HEARING." IF RECEIPT OF MY WRIT WASN'T EVEN ACKNOWLEDGED UNTILL 9-20-13, HOW COULD A DECISION HAVE BEEN MADE BY 9-11? AND SIGNED BY THE JUDGE ON 9-13? AGAIN MY COPIES ARE POSTMARKED 9-24-13! REMEMBER - I SENT MY 2 SUPPLEMENTS THE SAME WEEK AS MY 11.07. MY TRIAL COURT NUMBER AGAIN IS - 2012-DCR-01617-C.

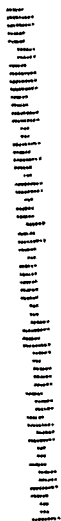
PLEASE FORWARD THIS LETTER TO THE U.S. JUDGE. AS EVIDENCE! - THANK YOU AGAIN - SCOTT HESS.

SCOTT HESS #1841004  
GARZA EAST UNIT E2-4  
4304 HWY 200  
BEEVILLE, TX. 78162

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UNITED STATES DISTRICT  
CLERK'S OFFICE  
RM. 101. 600 E. HARRISON  
BEEVILLE, TX.  
78520

SAN ANTONIO TX 78201  
NO. CHICAGO DISTRICT  
06 DEC 2013 PM 11

